



## POLICE DEPARTMENT

# 2008 Use of Force Report

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## Executive Summary:

On March 21, 2009 the Rockford Police Department received Law Enforcement Accreditation Status by the Commission on Accreditation Law Enforcement Agencies, Inc. (CALEA). As part of the accreditation process, the department completed a detailed analysis of any Use of Force (UOF) incidents mandated by policy. An in-depth analysis was conducted to compare the data collected in 2007 to the data collected in 2008.

In 2007, officers responded to 122,230 calls for service where there was contact with citizens. Out of those 122,230 contacts, there were 1,153 incidents which involved a use of force that was beyond gripping or holding, frisking, handcuffing or escorting. During 2008, officers responded to 123,113 calls for service where there was contact with citizens. Out of those 123,113 contacts, there were 980 incidents which involved a use of force that was beyond gripping or holding, frisking, handcuffing or escorting. Overall the Rockford Police Department noticed .1% drop in the use of force from 2007 to 2008.

The Department has implemented an early warning system to better track officer conduct and to improve supervisory oversight. Our policy now reflects the requirement of supervisory oversight and command at qualifying use of force incidents. The department contracted Chief Charles A. Gruber (Ret.), expert and current federal monitor to conduct training for all supervisors. The Department also uses a force review board to determine if there are any issues with policy, training, weapons and equipment violations or any other concerns/issues.

Since 2006, there has been a significant downward trend in the number of Use of Force Complainants. The complaints dropped 33% from 2006 to 2007, dropped again by 45% from 2007 to 2008 giving the Department an overall 63% decrease in the number of use of force complaints from 2006 to 2008. The Department strives for improvement through personnel development, policy enhancement and responsiveness to citizens in order to provide effective and efficient police service to all.

## Introduction:

Commission on Accreditation for Law Enforcement Agencies (CALEA) requires a law enforcement agency to conduct a documented annual Use of Force analysis. A written police report is submitted whenever an employee:

1. Discharges a firearm, for other than training or recreational purposes;
2. Takes an action that results in, or is alleged to have resulted in, death or injury of another person;
3. Applies force through the use of lethal or less lethal weapons; or
4. Applies weaponless physical force as a level as defined by this agency.

Rockford Police Department General Order 1.09 provides our officers with guidelines on the use of force. This Department recognizes the value of human life, which is immeasurable in our society. It is the policy of this Department that officers shall use only the amount of force that is reasonably necessary to achieve the officer's lawful objective, while protecting the life of the officer or another person.

## Per Rockford Police Department General Order 1.09, Section VII, Part A:

A written report is required *whenever* any officer:

1. Discharges a firearm for other than training or recreational purposes;
2. Takes any action that results in, or is alleged to have resulted in, injury or death of another person;
3. Applies force through the use of lethal or less lethal weapons; or
  - Applies weaponless physical force at a level beyond the following thresholds;
  - Gripping or Holding;
  - Frisking;
  - Handcuffing; or
  - Escorting

## Policy Enhancement:

The CALEA process has prompted a full review of all operating policies of the Department. Policy enhancement and creation of new policies have provided a process that is reflective of agency benchmarks and best practices. Current use of force policy and other policies pertaining to force are regularly subjected to review in order to maintain the highest levels of professionalism and performance throughout the Department.

### Records Management:

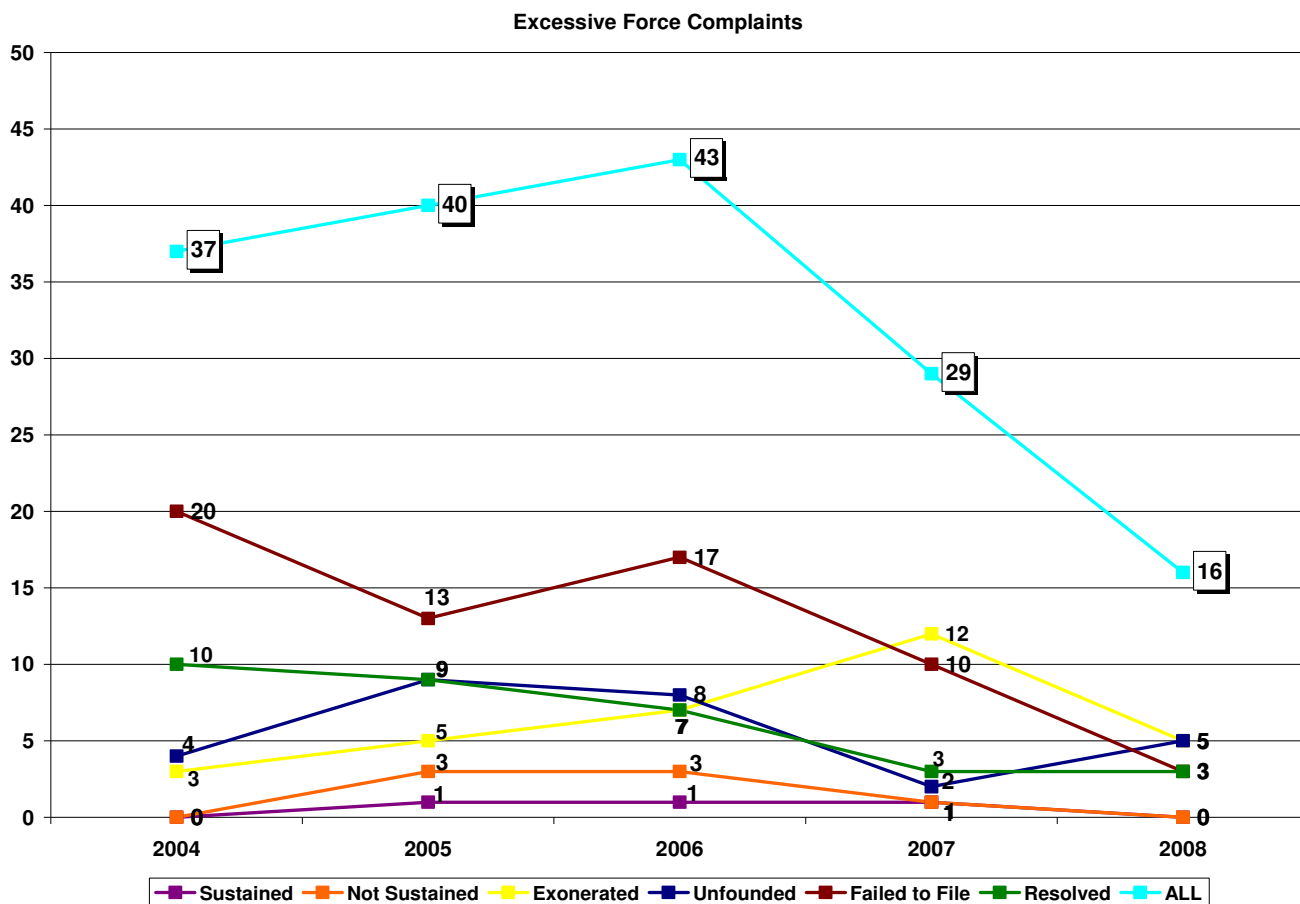
The use of force review recognized some needed improvements with data collection. Our systems analyst and crime analysts are working internally to improve the process of gathering the correct data from police incident reports. Staff is also working with our vendor, Motorola Net Record's Management to ensure our data collection system can mirror the standards in our accreditation process.

### Supervisory Oversight:

The use of force analysis indicates the crucial process of supervisory oversight at the use of force incident. Our policy will now reflect the requirement of supervisory oversight and command at qualifying use of force incidents. This enhancement will potentially lessen City and agency risk exposure, while enhancing process improvement in policy, training, and equipment.

### Use of Force Complaints:

The Office of Professional Standards (OPS) reviews practices and procedures of the Department in order to ensure compliance for its policies. OPS investigate all internal and external complaints of police misconduct. OPS personnel work cooperatively with the City Department of Law. OPS reviews use of force incidents in order to determine if appropriate force was utilized. OPS self-audits the Department for compliance.



\*ALL is a total of all resolutions types. That line represents the total number of complaints per year. The remaining lines show complaints broken down by resolution type each year.  
 \*2008 data through 10/17/08.

Graph 1

Graph 1 illustrates Use of Force Complaints from 2004 thru December 31<sup>st</sup>, 2008, and the outcome for each complaint. The top horizontal line indicates the total number of complaints from 2004 thru December 31<sup>st</sup>, 2008. The bottom horizontal lines indicate the outcomes for each of the complaints.

An excessive force complaint will have six outcomes: sustained; not sustained; exonerated; unfounded; failed to file; resolved.

- **Sustained:** (allegation proven)
- **Not Sustained:** (insufficient evidence exists to clearly prove allegation)
- **Exonerated:** (alleged facts were justified)
- **Unfounded:** (alleged facts did not occur or officer was not involved)
- **Failed to File:** (complainant did not follow-thru on initial complaint)
- **Resolved:** (incident handled without a formal investigation)

Since 2006, there is a significant downward trend in the number of Use of Force Complaints. The Department has seen a 63% decrease in Use of Force Complaints from 2006 to 2008. The downward trend is indicative of the commitment of our officers to follow the policies and procedures of the Department, which define the appropriate use of force.

## 2007/2008 Use of Force by Type:

Table 1 identifies the type of force used by Rockford Police Officers by year. The total numbers of yearly types of force are listed. Note, this is a raw number and does not necessarily signify the level of force was effective. For example, a Taser could be deployed, but the outcome did not have the intended result and the suspect kept actively resisting. This would result in officers using alternative force options.

<b>Force Used</b>	<b>2007</b>	<b>2008</b>	<b>% Change from 2007</b>
Compliance Techniques	1165	1163	-0.2%
Stunning Techniques	76	71	-6.6%
Taser	231	304	31.6%
ASP/Baton	14	4	-71.4%
Oleoresin Capsicum (OC)	138	67	-51.4%
K9	5	4	-20.0%
Take Downs	420	414	-1.4%
Strikes	253	174	-31.2%
Kicks	10	59	490.0%
Bean Bag	0	0	0
Headpin	16	44	175.0%
Deadly Force includes use of firearms -animals	8	2	-75.0%
<b>TOTAL</b>	<b>2336</b>	<b>2306</b>	<b>-1.3%</b>

## Calculating Use of Force Incidents:

According to the Report Management System (RMS), Rockford Police Department handled 122,230 calls for service in 2007 and 123,113 in 2008. Calls for service included in the numbers include only calls that were dispatched to officers and incidents that were officer-initiated (i.e. traffic stops). These numbers involve only those calls where officers actually made contact with citizens.

Of those calls for service (122,230 in 2007 and 123,113 in 2008), Rockford Police documented 1,253 incidents in 2007, and 980 in 2008, which involved some use of force beyond the following levels:

- Gripping or Holding;
- Frisking;
- Handcuffing; or
- Escorting

Use of Force above the aforementioned levels accounted for **.9%** of our total response to calls for service in 2007 (1,153 incidents involving the Use of Force / 122,230 Calls for Service), and **.8%** in 2008 (980 incidents involving the Use of Force / 123,113 Calls for Service). This means that in 2008, 99.2% of the time when officers interacted with citizens, no force was used. This is **.1%** less than in 2007.

In 2007, there were 1,153 documented incidents/calls for service, which resulted in officers using force. Of those 1,153 incidents, officers used 2,319 separate applications of force. This resulted in an average of 2.01 applications of force used per incident.

In 2008, there were 980 documented incidents/calls for service, which resulted in officers using force. Of those 980 incidents, officers used 2,288 separate applications of force. This resulted in an average of 2.33 applications of some level of force per use of force incident.

## Conclusion:

The 2008 Use of Force Analysis is an effort the Department has undertaken to ensure compliance, transparency, and process improvement. The analysis is a building block for our Department to improve and at the same time enhance in our strengths. The Department has taken significant steps this year to improve its Use of Force process:

**Personnel Early Warning System (EWS)** – an intervention system designed to examine certain events and assist to identify patterns that may alert supervisors and commanders of employees experiencing performance and/ or stress related issues. The system is designed to assist Department employees in their efforts to perform their duties in an effective, efficient and professional manner as well as ensure employee accountability. EWS was activated in October of 2008. In 2008, there were 27 Personnel Early Warning System reports filed on Use of Force incidents. Of those 27 reports, all of them were in compliance with policy. One case involved an officer's inappropriate application of tactics. All use of force incidents require supervisory oversight.

**Supervisor Oversight Consultation/Training** – all supervisors, command, and Union Board Officers have participated in an *Investigation Use of Force for Field Supervisors Training* sponsored by John E. Reid Associates and instructed by Chief Charles A. Gruber (Ret.). Chief Gruber is a national expert and current federal monitor in Oakland, California Police Department. Chief Gruber continues to provide support, dialogue, and communication to the Department on force related issues.

**Professional Standards Software** – the Department purchased law enforcement software (IAPro), which will assist in our accreditation process in Use of Force, Bias-Based Policing, and overall process improvement reporting. IAPro enables the Office of Professional Standards (OPS) to work quickly and efficiently when entering and searching data. IAPro functions as an early intervention. The system can alert by type of incident, overall alert, monitor officer alert, top percentile alert, and alert by allegation and use of force. This data is available through our police reports. Data can also be displayed in charts and graphs.

IAPro also helps personnel assigned to the Office of Professional Standards to manage workload and monitor cases. OPS is currently working through the software and establishing a Departmental process.

**Use of Force Review Board** – this Board is used to establish procedures for an impartial review of incidents described in the policy statement in order to determine whether there are policy, training, weapon or equipment violations, or any concerns/issues to be addressed. This Board would be assembled in order to review an officer's use of deadly force, an officer who had deadly force used against them, or any force which resulted in death or serious injury to a person, where some force other than a firearm was used. The Board also meets to review incidents involving unusual circumstances.

The Use of Force Review Board met and discussed five separate incidents for 2008. Two of the incidents involved proper securing of equipment, two involved discharge of a firearm and one was in regards to the deployment and tactical use of a taser. During the review, some training issues were brought to the attention of the board, which were addressed immediately by the Department. The review board did not find any issues with policies or equipment.

The Department is making significant steps in policy development, training, and supervisory oversight on use of force issues. Rockford Police Officers have exhibited tremendous restraint in force decisions. The Department is improving in its overall ability to provide the most responsive law enforcement protection to its community and at the same time ensure all actions, responses, and overall ability rests in the community policing philosophy of openness of operations.